

1894-047 Chancery Causes: Cdn. of Robert E. Barron & by vs. Robert E. Barron & Lee Co.

Hyatt, Bishop, McElroy, Kinser, Morgan, Litton, Slagle

CA- Estate Dispute
T-Property

To the Hon H. S. K. Morrison Judge of
the Circuit Court of Lee County Virginia.

Humbly complaining your Orator, John H.
Hyatt, guardian for Robert E. Barron, Nora B. Barron
Maggie M. Barron, Lou E. Barron, Archibald M.
Barron and Della Barron, infant children of Margaret
E. Barron dead. would respectfully represent.

That about the 5th day of Oct 1891 He was appointed
by the county court of Lee County, guardian for the
6 minor heirs at law of the said Margaret E. Barron dead,
whose names are above given, and as such guardian
he has executed bond in said county court, in the
penalty of \$700.⁰⁰ with Henry J. Morgan as his
security in his said official ^{bond} for the faithful discharge of duty.

Your Orator states that 3 of his said wards are over
the age of 14 years, but under 21. and that 3 of them
are under 14 years of age.

Your Orator states that beside his said 6 wards, the
said Margaret E. Barron left 2 other children who are
also her heirs at law to wit, Rosa E. Barron and Maria
Antonette Barron both of whom are over the age of 21 years
and all of the said 8 children and their father John E.
Barron who resides in the state of Texas and are therefore nonresidents of the state
of Virginia;

Your Orator states that the said Margaret E. Barron dead,
was a daughter of the late Archibald M. Elom, who
deceased this life intestate in this county, some one or
two years ago. And he left four other children his heirs at law.

14. Your Orator states that said John E. Barron the
Husband died several years before his said wife so
that his said wife's interest in said land is not encumbered
by any.

Your Orator states that said Archibald M. Elroy at
his death left a valuable tract of land consisting of
about 86 acres lying and being in said County of Lee,
on the north side of Wallens Ridge, near the Ferry
on Powell's River where the Fincastle road crosses the same
and this tract of land at said M. Elroy's death descended
to his five children to wit Margaret E. late wife of John
G. Barron, Emily ~~W.~~ wife of L. D. Kinser, Elizabeth S. wife
of W. G. Bishop, James M. M. Elroy and George B. M. Elroy.

Your Orator states that from this statement of facts
it is seen that at the death of said Margaret E. Barron
one undivided fifth part of said tract of land, consisting of
about 17½ acres descended and passed to her eight children
and heirs at law. before named. ~~subject to the estate of~~
~~the said John E. Barron~~, and this share subdivided into
8 parts, would give to each of said 8 children a little
more than 2½ acres, so that considering each part separately
they became almost valueless, but when taken as a whole
became quite valuable.

Your Orator states that the wife of W. G. Bishop owns
one fifth part of said tract of land in her own right, and
that her husband the said William G. Bishop has purchased
the undivided interest of said Kinser's wife at the price of
\$450.00, the interest of James M. M. Elroy at the same price
and the interest of Bowman M. Elroy at the same price
and by these purchases, the said Bishop has become the
owner of 3/5 of said tract of land, in his own right &
said W. G. Bishop has also purchased the undivided interest
of the said Rosa E. Barron and Maria Antineut Barron at the
price of \$112.50 being \$56.25 per share which is at the
same rate that he purchased said 3 full shares

These being the facts, Your Orator states that said Bishop and wife own $\frac{34}{40}$ ths of said tract of land. And his said 6 wards own $\frac{6}{40}$ th thereof in its undivided condition. And your Orator states that said W. P. Bishop is willing to take the said $\frac{6}{40}$ th of said land which belongs to the said 6 Minors at the price of \$337.50 which will be at the rate of \$56.25 for each of said 6 shares. And pay the costs of suit for obtaining title thereto, and at this rate, it is equal to the price realized by the adult parties, and said Bishop is moreover willing to pay the cash for the same if such ~~sale~~ ^{purchase} thereof be awarded him at the price stated;

Your Orator states that his said wards are residents of the State of Texas, and that it is more than probable they will not desire to make this their permanent home, but should they desire to do so, their interest in said tract of land is too small to make even one of them a respectable Farming home.

Your Orator states that said tract of land is not divided, and that down to this time it has not been yielding his said wards anything in the way of rents and profits, and were said lands divided, the portion that would fall to your Orator's said wards, would be so small that it would be worth one fourth the value thereof to fence it separately or nearly so.

Your Orator further states that real estate in this country yields but a poor dividend in the way of rents and profits after paying Taxes and keeping up current & necessary Repairs. Your Orator further states that the money which

said wards land will bring at the price stated, will yield his said wards more, at 6 per cent interest than said land will yield if sold out, after paying and keeping current repairs. And your Orator further states, that it is the intention to transmit the purchase price of said infants land, if the same shall be sold, to the state of Texas, where the money will yield them at least 10 per cent annually.

Your Orator states that in the event his said wards should die during their infancy unmarried and without issue, their interest in said real estate would descend and pass to the said Rosa E Barron and Maria Antont Barron.

The premises considered Your Orator states that the interest of his said wards will be promoted by awarding their undivided interest in said tract of land to the said W. G. Bishop at the price of \$337.50. But if mistaken in this, then your Orator alleges that their interest will be promoted by a sale thereof to the highest bidder but if again mistaken, then he prays that his said wards interest should be laid out and assigned to them and to obtain a sale thereof in one of the ways stated or a partition thereof is the object of this bill;

Your Orator therefore prays that Robert E Barron, Nora B Barron, Maggie May Barron, Lou E Barron, Archibald M Barron, Della Barron, Rosa E Barron Maria Antont Barron, John E Barron and W G Bishop be made defendants to this bill and be required to answer the same on oath that Order of Publication be entered posted and published against all of said defendants except said W G Bishop.

That a guardian ad Litem be appointed for said infants
to defend their interest in this cause, and on hearing
of the cause a decree be entered therein awarding said
wards interest in said land to said W. G. Bishop on the
terms stated, or that their said interest be sold publicly &
if thought improper to sell in either of these modes, then that
said land be partitioned, and if vested in this his
special prayer that your ^{Orator} prays for all general relief
May the Commission of the Court of Sp. issue directed &c.

Henry J. Morgan for Pff

I do swear that I verily believe the facts and statements
set out in the foregoing bill, are substantially correct & true
So help me god

J. A. G. Hyatt

Sworn to before me the 27 day of Nov 1891.

Henry J. Morgan Com

Exp 1.50 Paid
to 8.72 Paid
Dr 5.00
A 15.00

^{N.Y.M.}
John A. G. Hyatt Gunder

vs. } Bill

Robert E. Barran + al

\$30.22 to Apr. 1892
G.A.L. 5.00

\$35.22

By accumulated
Costs to Mr. 1894

D.C. 2.20 Paid
M.C. 1.57 on petition
Dr 5.00
J.P. 2.25
\$11.02

1891 1st Nov. Rules Bill.
filed, house debts and
G.A.L. answers filed
order Dub against Mrs
resident debts + could

" 3rd Nov. Rules order.
Dub Compt. and
Cause set for hearing
by Plaintiff.

" Nov. Term decree + costs

" Mr. continued

" Apr. decree + costs.

1 To the Hon. H. S. K. Merison Judge of the Circuit
2 Court of Lee County Virginia;

3 The Petitioner of R. E. Barron of Grayson County in the
4 State of Texas, would respectfully represent, that by an
5 order entered of record on the 22nd day of May 1893 in
6 the Probate Court of the said County of Grayson in the
7 said State of Texas he was appointed Guardian of the
8 persons and property of Nora B. Barron, Maggie M.
9 Barron, Sam E. Barron, Archibald Barron and Dollie
10 Barron, minor heirs at law of John E. and Margaret Barron
11 and when he should execute and file a bond in the
12 penal sum of \$7000. conditioned according to law, and
13 your petitioner states, that pursuant to the requirements
14 of the said Order, he did on the 30th day of May 1893
15 execute the required bond in the sum of \$7000.⁰⁰ with
16 J. M. Elroy, P. C. Robertson, and Rosa Barron as his Sureties
17 and these persons your petitioner states are single and
18 good for the full penalty of said bond, and a complete
19 transcript of the record and proceedings had in said Probate
20 Court (and of said bond) had with reference to your petitioner's
21 appointment as such guardian are herewith filed as
22 a part of this Petition Marked (A B)

23 Your petitioner now states that there is pending
24 in your Honors Court a chancery cause brought and
25 prosecuted by John A. G. Hayatt as guardian in Lee County
26 Virginia for Your petitioner & his five wards and
27 against him and his said wards, and the object of
28 that suit was to ratify and confirm a sale of your
29 petitioner and his five wards undivided interest in
30 a tract of land of 83 acres which belonged to Archibald
31 M. Elroy in his lifetime, and said suit was so
32 proceeded with, that said sale was confirmed at

1 the price of \$337.50 and H J Morgan of Lee County W.^a
2 was appointed a commissioner to receive said sum
3 of money, and he accordingly did receive it, and he
4 now holds the same as Bart in the said cause

5 The object of this petition is to obtain a decree of
6 your Honor directing Henry J Morgan to pay over and
7 transmit to your petitioner said sum of money to be
8 equally divided between himself and his said five
9 wards all of whom are residents of Gwynn County, Texas

10 The premises considered your Petitioner prays, that
11 said Henry J Morgan be made a party ^{defendant} to this petition
12 and be required to answer the same, and refer
13 a hearing of this petition with the said cause, that
14 said Morgan be ordered to pay over and transmit
15 to your petitioner in his own right and as foreign guardian
16 for said five wards, and as in duty bound he will
17 ever pray &c.

18 R E Barron foreign
Guardian for said wards

R. E. Barron Guard

25. } Petition

Henry J. Morgan

32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Filed Nov. 1893
J. A. Syatt

1 To the Hon: H. H. Merison Judge of the Circuit
2 Court of Lee County Virginia;

3 The answer of Henry J. Morgan court in the
4 chancery cause of John A. G. Hyatt guardian in Lee
5 County Va. against R. E. Barron others still pending
6 in your Honor's court, to the petition filed therein
7 by said R. E. Barron foreign guardian for Nora B.
8 Barron, Maggie M. Barron, Lou E. Barron, Archibald
9 Barron and Dollie Barron

10 This respondent says that it is true as stated in
11 said petition, that he now has in his hands the sum
12 of \$337.50 which he holds as the money ^{due} said petitioner
13 and his five wards all of whom reside in Grayson
14 County in the state of Texas, and that he received
15 the same in the Chancery cause of J. A. G. Hyatt Guardian
16 against R. E. Barron others still pending in court, and
17 Respondent is now ready to transmit the same to
18 the said petitioner for the benefit of himself and his five
19 wards if your Honor shall direct and order the same
20 to be so transmitted:

21 Respondent says that the money so in his hands is
22 the proceeds of the sale of said petitioner and his five
23 wards undivided interest in a tract of land containing
24 86 acres known as the Arch. McElroy farm, and
25 the same was sold in the said cause of said Hyatt
26 Guardian vs. R. E. Barron others

27 And now having answered as fully as deemed material
28 Respondent prays to be hence dismissed

29 Henry J. Morgan Court
30
31
32

Henry J. Morgan

Ads } Answer

N. E. Benson & others

Filed Nov. 1, 1893

A. B. Mumsey ©
Cpr H.

32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

To the Hon H. S. K. Morrison Judge of the Circuit
Court of Lee County Virginia

The joint answer of: Robert E. Barron, Nora B
Barron, and Maggie M Barron — heirs at law
of Margaret E. Barron died, was the age of 14 years, but
under the age of 21 years, to a bill filed in this honorable
court against them and others by John A. G. Hyatt, their
guardian in said county of Lee state aforesaid:

For answer to the said Plaintiffs bill, or so much thereof
as they deem it necessary to answer, answering say
that they suppose that they are too young, in contemplati-
-on of law, to be able to form a correct opinion, as to
whether or not, it is to their interest, that the tract of land
in the bill of the plaintiff mentioned, or their interest there-
-in be sold, or whether it is best that the same remain
in kind for their use, when they shall attain to the years
of maturity;

Respondents say however that in as much, as their
uncles and aunts on their Mothers side, have sold their
undivided interest in said tract of land for \$450.00, each to
W. G. Bishop, and their adult sisters having sold their
interest therein to said Bishop at the same rate, and said
Bishop being willing to take respondents interests in the
said land at the same rate. Respondents are not only
willing but are anxious that your Honor award to
said W. G. Bishop their undivided interest in said tract
of land, at the same rate which he paid for the other interests

And Respondents having now answered as fully as
claimed necessary pray to be hence dismissed with

their reasonable costs.

Robert E. Barron.
Mara B. Barron.
Maggie M. Barron.

The State of Texas
Cooke County I Before me J. J. Reason
Notary Public of Cooke
County Texas On this day Personally appeared
Robert E. Barron Mara B. Barron and
Maggie M. Barron to me well known to be
the persons whose names are subscribed to
the foregoing instrument, and acknowledged
to me that ^{if they} signed the same for the purpose
and consideration therein expressed
Given under my hand and seal of
office this the 9th day of October A.D. 1891
J. J. Reason Notary Public
Cooke County Texas

Robert E. Barron et al

Ado. } Joint Answer

John A. G. Hyatt General

Filed for record

1891. J. A. G. Hyatt et al

To the Hon H. S. K. Morrison Judge of the Circuit
Court of Lee County Virginia;

The separate answer of W. G. Bishop to a bill
filed in this Honorable court against him and others
by John A. G. Hyatt Guardian &c.

For answer to said bill or so much thereof as he
deems it material for him to answer, answering says
that it is true as stated in said bill, that respondent
has purchased and paid for the interest of said L. D. Kinser
wife, James M. McElroy and Corwin McElroy in the
said 86 acre tract of land at the price of \$1350.00 which is
\$450.00 for each of said 3 undivided interests therein, and
it is also true that he has purchased and paid for the
two undivided interests therein of Rosa E. Barron & Maria
A. Barron at the price of \$112.50 which is \$56.25 for each
of said shares, and it is also true that Respondent
has agreed to take the six infants undivided interest in
said tract of land at the price of \$337.50, and pay the
costs of this suit, and this will be equal to \$56.25 for each
of said infants, and at the rate of \$450.00 for a full share

Respondent says that this is a full and fair price for
said infants interest, and is all that he is willing to give
and having now answered as fully as deemed material
he prays hence to be dismissed

W. G. Bishop

W G. Bishop

Ads. } Known

John A G. Hyatt Guardian

Filed 1st Apr. 1891.

J. A. Hyatt C

To the Hon. H. S. K. Merison Judge of the Circuit
Court of Lee County Virginia:

The answer of Robert L. Barron Nora B. Barron
Maggie M. Barron Lou E. Barron Archibald M. Barron
+ Della Barron Infants at law of Margaret E. Barron died
by John M. Morgan their guardian ad litem. To a
bill filed against them & their by John A. G. Hyatt their guardian

This respondent says that his said wards are young
and of tender years, and being infants, are the peculiar
wards of courts of chancery. Their interest therefore in
this suit is respectfully committed to your Honor in this cause.

Respondent further says, that real estate is not so
easily run through with, or squandered, as that of personal
property, and hence it follows that real estate is the most
certain and sure property, that infants can own, and
hence he would suggest the propriety of requiring clear
and satisfactory proof, that the sale of their lands will
promote their interest before decreeing a sale thereof.

Respondent further says that his said wards are now residents
of the State of Virginia and as a matter of course he has had
no opportunity to consult them touching the premises.

Respondent having now answered as fully as deemed material
prays that his said wards be hence dismissed with their cost,

Jno M. Morgan.
Guard ad Litem

Robert L. Barron & others

Ads. } Answer by G. A. Litten

John A. G. Hyatt Guardian

Filed Nov 1876.

J. A. G. Hyatt & Co

John A. G. Hyatt Guardian & Peff

vs.

R. E. Barran & al

Defts

John L. Hy

R. E. Barran Guardian & Peff

vs.

Henry J. Morgan Cant. &

Deft

On a Petition

These causes came on this day to be finally heard on the papers formerly read therein and the report of H. J. Morgan Cant. in the first cause and defendant in the second cause, dated and filed in the causes Dec. 20 1893 showing that he had paid and transmitted to R. E. Barran for his guardian - on the \$337.50 held by him as Cant. in the first cause, and was argued by counsel. On consideration of all which it is adjudged ordered and decreed that said report, be and the same is hereby confirmed, and no further action being necessary in these causes, the parties are hence dismissed and the causes stricken from the docket.

John A. G. Hayatt Guard

as } Deer Guard

R E Barron & others

R E Barron Guard

as } Deer Guard

Henry J. Morgan Capt.

E. O. B. Page 560

March 9th 1894

Enter this

March 9 1894

H. K. M.

1 John A. G. Hyatt Guard. &c -- Plff. }
 2 vs } In chey.
 3 Robert E. Barrow & al -- Def. }
 4 R. E. Barrow Guard. &c Plff. }
 5 vs } On a petition
 6 Henry J. Morgan, Comr. &c Def.

7 For reasons appearing to the Court these
 8 causes are brought on to be heard together
 9 and thereupon the same came on to be heard
 10 on the papers heretofore read in the first-
 11 styled cause and the petition and exhibits
 12 therewith in the second cause and the an-
 13 swer of H. J. Morgan Comr. to the said pe-
 14 tition and was argued by counsel and
 15 it appearing to the Court that the notice
 16 required by law to be published, has been
 17 published the time required by law, it is
 18 therefore adjudged, ordered, and decreed
 19 that H. J. Morgan Commissioner in the
 20 first cause and defendant in the second
 21 cause pay over and transmit the three
 22 hundred and thirty-seven dollars and
 23 fifty cents held by him in the first cause
 24 to R. E. Barrow, Guard. for the benefit of
 25 himself and his five wards as the foreign
 26 guardian of the said five wards and
 27 said Morgan will take his receipt there-
 28 for and he will report his action to the
 29 Court under this decree and until the
 30 coming in thereof said causes are con-
 31 tinued.

John A. G. Hyatt Guard &c

vs

Deeree

32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

R. E. Barrow & others

R. E. Barrow Guard &c

vs

Deeree

H. J. Morgan, Secy.

Entered Ch. O. B. p 518 & 519.
Nov. 13th 1893.

Enter This

Nov 13 1893

H. J. Morgan

John B. Hyatt Guard & Pff }
vs. } In Chy
Robert L. Barron et al Defts }

This cause came on again to be further heard on the papers formerly read therein, and the report of Special Comr. H. J. Morgan dated and filed in the cause Feb, the 20th 1892, showing that he had executed the bond required by the decree entered in this cause on the 2nd day of Decr 1891. That the deft. W. G. Bishop had paid to him \$337.50 the purchase price of the 6 infants undivided interest in the 86 acre tract of land in the bill mentioned that said Bishop was ready to pay the costs of suit, & that said Comr. Morgan had made a deed of conveyance to said Bishop for said infants said interest in said land, and was argued by counsel. And the said report and deed being unaccepted to. On consideration of all which it is adjudged ordered and decreed that said report and deed be and the same are hereby confirmed and the clerk of this, will deliver to the clerk of the county court for recordation said deed of conveyance and the cause is continued;

J. A. G. Hyatt Guard

vs } Decm No 2

Robt L. Burren vs

Entered Chas O B
page 382 April
7th 1892.

J. A. G. Hyatt C

Entered this

April 7 1892

U. S. M.

John A. G. Hayatt Guardian: Pff.

vs.

Robert E. Barron & others.

Defts.

In Chy

This cause came on this day to be heard on the bill of the plaintiff taken confessed by the defendants Rosa E Barron Mary A. Barron and the joint answer of Robert E Barron Nora B Barron Maggie M Barron the three infant defendants over 14 years of age. And the answer of said three infants, and Lane E. Barron Archibald M Barron and Della Barron the three infants under 14 years of age by John M Morgan guardian for the six infant defendants the answer of Deft W G. Bishop, the deposition of witnesses filed in the cause, the order of publication entered posted and published, and was argued by counsel, On consideration of all which it appears to the court that it will promote the interest of the infant defendants to decree their interest in the 86 acre tract of land in the bill mentioned, be taken and held by the defendant W G. Bishop upon his paying them \$337.50 and the costs of this suit, rather than exposing the same to public sale to the highest bidder and that this is a proper case, in which to decree a sale thereof in one of the modes stated in the bill. It is therefore adjudged ordered and decreed that upon the payment of said \$337.50 ^{& the costs of this suit} to said 6 infant defendants or their attorney, by the defendant W G. Bishop, that said W G. Bishop take & hold said 6 infants undivided interest in the 86 acre tract of land in the bill mentioned by till first stable, & free from all their claims. And Henry J Morgan is appointed Special Comr. to receive the purchase price of said land

and to hold the same for said infants until the same shall be transmitted to the Guardian for said infants in Texas. But before receiving said Money said Court Morgan will execute bond before the clerk of this court with good security in the sum of \$700 - with condition to account for all money he may receive in the cause. And when said purchase money shall be paid said H. J. Morgan who is made a Bond. for the purpose, will convey to said W. G. Bishop the undivided interest of the 6 infant children of said Margaret E Barron dead in and to the 86 acre tract of land in the Poff's bill mentioned with covenants of special warranty and he will report his action to the court & the cause is continued

John A. G. Hyatt Guardian

as 3 Decm No 1

Robert E. Barron val

Entered this
Dec 3 1891
H. J. Morgan

John A. G. Hyatt Guardian Plff

vs

Robert E. Barron & others

Defds

In Chy

To John M. Morgan guardian for the six infant dependents in this cause.

You will please take notice that at the office of H. C. Joslyn in Jonesville on the 6th day of Nov. 1891. I will proceed to take the deposition of Mr. F. Litten, Francis Slagle & E. B. Lanner which when taken are intended to be read as evidence on the part of the plaintiff in the above styled cause on a hearing thereof, and the annexed questions will be propounded to each of said witnesses. Given under my hand this 1st day of Nov. 1891.

John A. G. Hyatt Guardian
by Attorney

- First question Please state whether or not you are acquainted with the 86 acre tract of land owned by Archibald McElroy died at the time of his death, and if so state how near you live to it, and how long you have known it?
- 2 Question Please state whether said land is divided or undivided?
- 3 Question If about 17 acres of said land was laid off in a parcel to itself, what would it take in the way of cost to fence it?
- 4 Question Is \$337.50 a full and fair price for $\frac{1}{5}$ of one undivided fifth part of said 86 acre tract? or is the land worth more than that sum?

5 Question Which would yield the infants the best income the interest on \$337.50, or the land if rented out, after deducting and keeping ^{up} ordinary repairs?

6 Question Which do you think would be best for said infants to award their land to W. B. Bishop at the price of \$337.50 or to sell it at Public Auction?

7 Question In the present condition of said land, would the interest of the infants be promoted by a sale thereof either by awarding the land to said Bishop at the price of \$337.50 or by a sale to the highest bidder, or would it be best for them to keep the land as it is?

I as guardian ad Litem for the infant defendants, hereby accept legal Service of the foregoing notice, and agree that the deposition of said witnesses be taken in the foregoing questions

Jno M. Morgan. Guard. ad Litem

Nov. 6 1891.

John A. G. Hyatt Guard & Peff }
vs } In Chy.
Robert E. Barron & others Defts }

The deposition of Mr F. Litten James Slagle and
E. B. Larmer taken upon interrogatories and
notice hereto attached, at the office of H. C. Joslyn
in Jonesville, on the 6th day of Nov 1891, which
are intended to be read as evidence on the part
of the plaintiff in the above styled suit, at the
hearing thereof

The said Mr F. Litten a witness of lawful
age being duly sworn deposes as follows.

In answer to the first question the witness says,
I am acquainted with the 86 acre
tract of land owned by said
Mr. Elroy at the time of his death
I live about 1 1/4 miles from the
said land, and I have known
it well for about 13 years
In answer to the second question
the witness says,
The land is in an undivided
condition

In answer to the third question the witness
says,

I am of the opinion that to fence
17 acres in a parcel to itself it
would cost something like \$100.⁰⁰
or possibly \$125.⁰⁰

In answer to the Fourth question
the witness says,

I am of the opinion that \$337.⁵⁰
is a full and fair price, for
 $\frac{6}{8}$ of one undivided 5th part
of the 86 acre tract of land, and
in its present Condition I do not
think it worth any more than
that amount.

In answer to the fifth question
the witness says,

I think the interest on the money
would be worth more to the
infants, than rents after deducting
expenses.

In answer to the 6th question The
witness says,

I am of opinion that it would
be best for said infants to award
their land to W. G. Bishop for the
sum of \$337.⁵⁰ than to sell it at
public sale, for I do not believe
it would bring that sum if sold
to the highest bidder.

In answer to the Seventh question
the witness says,

I am of opinion that the interest
of the infants would be promoted

by awarding their land to said Bishop at the price of \$337.⁵⁰ and that it would be better to do this than to put it up at public sale, and I also think it would be much better for them than to keep the land.

Witness And further this witness saith oath,
M. F. Litton.

claims 1 day
50 cts

France Slogle and E. B. Larmer witnesses of lawful age, both being duly sworn depose as follows.

We have just heard read the foregoing deposition of F. M. Litton taken in response to the several questions, and they each endorse and adopt the statement of said Litton as their depositions in this cause.

And further these witnesses saith oath.

France ^{his} Slogle
^{mark}
E. B. Larmer

Witnesses
claim

1 day 50 cts
each.

The foregoing depositions of F. M. Litton, France Slogle and E. B. Larmer were taken by me, sworn to and subscribed by them, at the time and place, in the caption and notice mentioned herein under my hand this 6th day of November 1891.

H. C. Joslyn J. P.

J. A. G. Hayatt Grand

vs. $\frac{1}{3}$ Depositions

Robert E. Barron & al

Filed Nov. 15/87

J. A. G. Hayatt

Costs

witnesses

1.50

J. P.

.75

John A. G. Hyatt Grand & Peff Peff

vs.

Robert L. Barrin, Nora B. Barrin, Maggie M.
Barrin³, Sam E. Barrin⁴, Archibald M. Barrin⁵,
Della Barrin, Rosa E. Barrin, Mary A. Barrin,
John G. Barrin, and W. G. Bishop Diffs } In Chy

I do swear that all the above named defendants except
the said W. G. Bishop are non residents of the State of Va.
so help me god.

J. Morgan

Subscribed and sworn to before me the day of 1896.

J. A. G. Hyatt Guard

vs. } Affiant

Robert L. Baren tal

Filed Oct 14 1891

J. A. G. Hyatt

John A. G. Hyatt Guard & Poffy } In Chy
vs. }
Robert S. Barron & al Defts

To the Hon H. S. R. Morrison Judge of the Circuit
Court of Lee County Va

Pursuant to your decree entered in the above styled
cause on the 3rd day of Dec. 1891. I have executed
bond in this cause in the sum of \$700- with John A.
G. Hyatt as security, and the same is hereunto filed
Marked (A)

The defendant W. G. Bishop thereupon paid me the
sum of \$337.50 the price of the 6 infants undivided
interest in the 86 acre tract of land in the bill mentioned
and the same is now ready to be transmitted to
the guardian of said 6 infant children in the State
of Texas as soon as he shall put himself in a condition
to receive it, and your Honor shall order a transfer
thereof, and as soon as it is ascertained what the
entire cost will be the said Bishop is ready to pay it

In conformity to the said decree the said Bishop
is now entitled to a deed of conveyance for the said
6 infants undivided interest, and I have accordingly
made executed and acknowledged a deed of conveyance
by which I have conveyed to said Bishop with covenants
of ~~Special~~ ^{Special} Warranty, said Infants undivided interest
in the said 86 acre tract of land in the bill mentioned
and the said deed is filed marked (B) for your inspection
and approval

Respectfully Submitted

Henry J. Morgan Clerk &c
Feb 20 1892

J A G Hyatt Guard

vs { Capt. Refat

Robert L. Barron et al

Filed Feb 20 1892

J A G Hyatt
C. C.

John A. Hyatt Guardian & Poff

vs.

Robert E. Barron & others

Deft

In Chy.

Robert E. Barron Guardian & Poff

vs.

Henry J. Morgan

Deft

On Petition

I as Guardian in Grayson County Texas for
Nora E. Barron, Maggie M. Barron, Sam E. Barron, Archibald
Barron and Dollie Barron Minors at Law of John G. &
Margaret Barron dead, have this day received of Henry J.
Morgan of Lu Co W. who is a commissioner in the first of the
above styled causes, and defendant in the second his check on
Powell's Valley Bank for Three Hundred and thirty seven dollars
and 50 cents (\$337.50) which when paid, is in full of the
proceeds of the sale of my own interest and that of my said five
wards interest in the old Archibald M. Elroy tract of land
of 86 acres lying in Lee County Virginia, and purchased by
Wm. G. Bishop this 2nd day of Dec 1893

R. E. Barron. Guardian

for said 5 Minors & in my own right

John A. B. Hyatt Guardian & Off. } In Chy
against

Robert E. Barron & others. Deft }

Robert E. Barron Guardian & Plaintiff }

vs.

Henry J. Morgan

Deft }

On a Petition

~~As directed~~ To the Hon. H. S. K. Morison Judge of
the Circuit Court of Lee County Va.

As directed by the ~~the~~ decree of your Honor entered
in the above styled two causes on the 13th day of Nov. 1893
I have transmitted and paid to Robert E. Barron in his own
right and as Guardian for his five brother and sisters in Grayson
County in the State of Texas, the sum of \$337.50 which is
shown by his receipt hereto attached; This money is the net
proceeds of the ^{sale of the} 6 children of John H. & Margaret Barron interest
in the old Archibald McElroy farm of 86 acres bought by W. G. Bishop,
and that sum I held as Court in the first styled cause and
the same was transmitted to Texas on the Petition of R. E. Barron
guardian which is the second cause.

The cost of these proceedings having been paid by the said
W. G. Bishop & the objects had in view being attained, these
causes may be stricken from the docket.

Henry J. Morgan Court. & Deft

Dec. 20 1893

John A. G. Hyatt Guard

vs. } Capt. Report

R. E. Baerens & others.

R. E. Baerens Guard &

vs. } Capt. Report

Henry J. Morgan Const.

Filed Dec. 20 1893

A. B. Mursey Clerk

1 Estate of -) Now on this the
2 21st day of May
3 at Minors 1893 value of
4 be heard before
5 the Court of J. B. Barron for Guardianship
6 of the Estate of John Bell Barron
7 and John Barron, deceased and
8 William Barron, minor and said of
9 the said John Barron, deceased and
10 the said John Barron, deceased and
11 the said John Barron, deceased and
12 the said John Barron, deceased and
13 the said John Barron, deceased and
14 the said John Barron, deceased and
15 the said John Barron, deceased and
16 the said John Barron, deceased and
17 the said John Barron, deceased and
18 the said John Barron, deceased and

19 It is further ordered that W. B. Barron
20 John Barron and John Barron be ap-
21 pointed administrators of the estate and
22 the property belonging to the estate
23 of John Barron, deceased and
24 the said John Barron, deceased and

25 State of Texas) In County Court
26 Grayson County, Texas, May
27 1st Term A.D. 1892
28 To the Hon. E. A. Gentry, Judge of the
29 County Court of Grayson County
30 Texas I W. B. Barron, Defendant
31 do hereby show that John Bell Barron is

1 a girl named Mary Ann about eighteen
2 years of age that Maggie Wade has
3 been in her custody since she is
4 a minor child of said Mary Ann and girl
5 at a time when said Mary Ann was
6 of age, that said Mary Ann was
7 then a minor child of said Mary Ann
8 of age, that said Mary Ann was
9 then a minor child of said Mary Ann
10 all of said minors reside in
11 Jackson County, Texas and are
12 under the care of their parents
13 of their parents as stated. That said
14 minors are entitled to an estate
15 of their parents as stated of thirty
16 three hundred and thirty dollars which is
17 a balance due to said minors, Texas
18 that John Barker and wife M. E.
19 Barker parents of the said minors
20 are both deceased and their father
21 residing in Jackson County, Texas
22 at the time of their deaths.
23 That petitioner is not disquali-
24 fied from receiving letters of guard-
25 ianship. Therefore petitioner
26 prays that letters of guardian-
27 ship of his application be
28 given to him by the court and
29 that he be appointed guardian
30 of the person and estate of said
31 minors.

P. J. Jones Attorney Petitioner

1 in the State of Kentucky, Wm. Brown
2 and John Brown, Minors
3 W. B. Brown has filed in the Circuit
4 Court of said County an official
5 return for return of said property
6 upon the estate of said minors,
7 which will be heard at the next
8 term of said Court for civil and
9 Probate business, to be held at
10 the Court House in the City of
11 Sherman on the 3rd Monday, viz
12 May 1873, at which time all
13 persons interested in said minors
14 may appear, and contest said appli-
15 cation if there see proper.
16 Witness G. H. Hudson Clerk of
17 said Court and the said Sheriff,
18 at his office in the City of
19 Sherman, this 17th day of April
20 1873.

21 {S. S.} G. H. Hudson, Clerk of Court
22 Ben H. Head Deputy
23 }

24 Sheriff's Return
25 Came to hand W. B. 17th 1873, Exec-
26 uted the 18th April 1873, by post-
27 ing true copies of the within
28 notice at three public places
29 in Harrison County one of which
30 was at the Court House in Sher-
31 man, one at Princeton, and one
32 at Littenburg, and are true being

1 in the name of the owner
2 D. E. Hughes
3 Smith, George, Austin, Texas
4 Prof. B. C. Hartwell, Inspector
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THE STATE OF TEXAS, }
COUNTY OF GRAYSON. }

COUNTY COURT PERTAINING TO ESTATES, *May* TERM, 189 *3*

To all Whom these Presents shall come==Greeting:

KNOW YE THAT *R. E. Barron* as principal
and *J. M. M. Elroy, P. O. Robertson and Rosa E. Barron* as sureties, are held and
firmly bound unto *E. P. Gregg* County Judge of the County of Grayson,
and his successors in office, in the sum of *Seven Thousand (\$7000)*
Dollars, for the payment of which, well and truly to be made unto the said
E. P. Gregg we bind ourselves, our heirs, executors and administrators,
jointly and severally, firmly by these presents.

Signed with our hands, and sealed with our seals, [the seals being scrolls,] the *30*
day of *May* A.D. 189 *3*

THE CONDITION of the above obligation is such, that whereas the above bound
R. E. Barron has been appointed *Guardian*
of the estate of *Nora Bell, Maggie May, Lou Emma, Archibald M. & Dollie Barron*
Now if the said *R. E. Barron* shall well and truly perform all the duties
required of him under said appointment, then this obligation shall be null and void; otherwise to re-
main in full force and effect.

R. E. Barron [SEAL]
J. M. M. Elroy [SEAL]
P. O. Robertson [SEAL]
Rosa Barron [SEAL]
[SEAL]

THE STATE OF TEXAS, }
COUNTY OF GRAYSON. }

I, *R. E. Barron*, do solemnly swear that I will well and
truly perform all the duties as *guardian* of the estate of
Nora Bell, Maggie May, Lou Emma, Archibald & Dollie Barron
(Signed) *R. E. Barron*

Sworn to and subscribed before me, *J. P. and Ex-officio Notary Public*
of said County, this *30* day of *May* 189 *3*

(Seal)

Examined and approved this *31* day of *May* 189 *3*
E. P. Gregg County Judge.

No.

BOND.

In the matter of the Estate of
Noxa Bell Benson
et al Minors.

Filed May 31 1893
G. H. Hudson Clerk.

W. H. Hudson Clerk.

Exhibit A.B. with
Petition

3 aff. V. Seal. \$ 1.50
Frais 3.25
\$ 4.75

KNOW ALL MEN BY THESE PRESENTS, That we

H. J. Morgan
and J. A. G. Hyatt
are held and firmly bound unto the Commonwealth of Virginia, in the sum of *Seven*
Hundred dollars, to the payment whereof, well and truly
to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our
and each of our heirs, executors and administrators, jointly and severally, firmly by these
presents, hereby waiving the benefit of our homestead exemptions as to this obligation,
and any claim, right, or privilege to discharge any liability arising under this bond, or by
virtue of said office or trust, in any currency, funds, counter claims or offsets other than
legal-tender currency of United States. Sealed with our seals, and dated *19* day
of *February*, one thousand eight hundred and *twenty-two*

The Condition of The Above Obligation is Such, That if the above bound
H. J. Morgan
shall faithfully perform the duties of *Clerk* office or trust, as *Clerk*
and Receiver
under a decree of the Circuit Court of the County of Lee, pronounced on the *3rd*
day of *Decr.* 1871, in the suit therein depending
under the name and style of *J. A. G. Hyatt vs. Robert E. Barringer* Plaintiff
vs. *Robert E. Barringer* Defendant
and properly account for all sums of money *he* may receive as
such *Clerk & Receiver*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the
presence of

Henry J. Morgan (SEAL.)
J. A. G. Hyatt (SEAL.)
(SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee

This day

suret on the above bond, made oath before me J. A. G. Hyatt, Clerk of the Circuit
Court of the County of Lee, that
estate after the payment of all just debts, and those
for which bound as securit for others, and expect to have
to pay worth the sum of
dollars.

Given under my hand this day of 18
Teste: Clerk

J. A. Scott
vs 3 Bonds
Robert C. Brown
Filed Feb. 19th 1894
J. A. Scott

(A.)

We the undersigned heirs at law of Margaret E Barron
deed, over the age of fourteen, and under the age of
21 years. do by these presents nominate and choose
for our Guardian in See Co Va. Maj John A. B. Hyatt, and
respectfully pray the Judge of See Co Court to appoint
him our guardian and as in duty &c we will ever pray &c

Robert C Barron (seal)

Nara B. Barron. (seal)

Maggie M Barron (seal)

Cook County State of Texas to wit

This is to certify that Robert C Barron, Nara B
Barron and Maggie M Barron whose names are
signed to the foregoing writing have acknowledged the same before
me in my county aforesaid. This 24th day of Sept 1891.
J. J. Reuser
Notary Public for
said County.

J. A. V. Hyatt & Co.
Statement of
the ^{value} infants seen
21 years old

Robert L. Barrett

Filed Oct. 14th 1871

J. A. R. Hyatt

Collinsville Tex
Dec 2, 1893

Henry J. Morgan Atty &c
Joussville Va

Dear Sir;

Inclosed you will find receipt of
R. E. Borran in his own right and
as guardian of the Borran heirs
He will collect check through bank
Many thanks to you,

Very respectfully
P. F. Shores
Atty &c

Best Advertising Medium In Southwest Va.

Jonesville, Va., Nov. 12th 1891.

Mr. J. A. & Hyatt City

To "Lee County Republican," Dr.

J. H. HOBBS, Editor and Manager.

All accounts for Subscription and Job Work due when bill is presented.

To / Order Publication
in case of J. A. & Hyatt vs.
P. E. Barrow & others 5 00

el. 2201. 11. 12. 13.

1881

OFFICE OF THE POST OFFICE

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Blanket

Republican

as { Fee \$5.00

J. A. G. Hyatt.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Robert E. Barron

John B. Barron, Maggie M. Barron, Son

W. Barron, Archibald M. Barron,

Della Barron, John E. Barron, Maria

A. Barron and Mr. G. Bishop

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in November next, being rule day to answer a bill in Chancery exhibited in our said Court

against

Thomas

by

J. A. G. Hyatt, Clerk

for Robert E. Barron, John B. Barron, Maggie M. Barron, Son E. Barron, Archibald M. Barron, and Della Barron

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This

16th

day of

October

18

77

, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

J. A. G. Hyatt

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon Robert E. Barron

and B. Barron Maggie M. Barron

Lee E. Barron, Archibald M. Barron

Della Barron, Fannie E. Barron, Maria A. Barron

and W. G. Bishop

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in November next, being rule day to answer a bill in Chancery exhibited in our said Court against them by J. A. G. Hyatt

for Robert E. Barron and B. Barron Maggie M. Barron, Lee E. Barron, Archibald M. Barron and Della Barron

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This 15 day of October 18 71, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

for
W. C. Bishop

NOTICE.

TO ALL WHOM IT MAY CONCERN:

189

The undersigned R. E. Barrow, as
guardian for Nora B. Barron, Maggie M.
Barron, Lou E. Barron, Archibald Bar-
ron, will make application by petition to
the Judge of the Circuit Court of Lee
County, at the next November term of
said Court, for an order directing H. J.
Morgan com'r &c., to transfer from his
hands to the undersigned, as guardian
for said children in the State of Texas
Grayson County, now held by him.

R. E. BARRON, Guardian
in Grayson County, Texas, for said
children.

oct7-4t

*It is hereby certified that the above notice
has been published four weeks successively in
the Lee County Republican, a newspaper publis-
hed in Lee County, Virginia prior to Nov 6 1893*

W. P. Dwyer Editor of

Lee County Republican

Nov 10 1893

J. A. Stuyatt Grand

Notice

R. E. Barron

Proff 5-00

VIRGINIA.—In the Clerk's Office of
the Circuit Court of the County of Lee
on the 14th day of October 1891.

J. A. G. Hyatt Guard. Plf }
vs. } In County.
Robert E. Barron & others }
Def. }

The object of this suit is to obtain a
decree of said court for the sale of the 6
infant childrens interest in the tract of
land in the bill mentioned in one of the
modes therein referred to.

And an affidavit having been made
and filed that the defendant Robert E.
Barron Nora B. Barron Maggie M. Barron
Lou E. Barron Archabald M. Barron,
Dolla Barro, Rosa E. Barron and Maria
A. Barron are non residents of the State
of Virginia it is ordered that said defend
ants do appear here within 15 days after
due publication hereof and do what may
be necessary to protect their interest in
this suit. And it is further ordered that
a copy hereof be published once a week
for four weeks in some newspaper, and
that a copy be forthwith posted at the
front door of the court house of this
county.

A copy—Teste:

J. A. G. Hyatt, Clerk.

H. J. Morgan, p. v.

3-35 4w

J. H. Kross Editor of the Lee
Co. Republican, a weekly
paper published in the
town of Jamesville, and
County of Lee, hereby certify
that the foregoing order of
publication was duly
published in the above
named paper for four
successive weeks ending
Nov. 14th / 1891.

J. H. Kross Ed. Lee Co. Republican

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10.27	\$2.20

J. A. L. Hyatt Guar
 Order Rule
 No 3 Pro Certificate

Or E. Barron et al

I certify that I
 posted an account
 house down on the
 first day Nov. Term
 1891 of the County
 Court an office
 copy of this order.

J. A. L. Hyatt

Pro fee 5.00
 C " 75

5.75